

1 SETH GOLDMAN (SBN 223428)
MUNGER, TOLLES & OLSON LLP
2 355 South Grand Avenue, Suite 3500
Los Angeles, CA 90071-1560
3 Telephone: (213) 683-9100
Facsimile: (213) 687-3702
4 E-Mail: *Seth.Goldman@mto.com*

5 ROHIT K. SINGLA (SBN 213057)
VICTORIA L. BOESCH (SBN 228561)
6 SARALA V. NAGALA (SBN 258712)
MUNGER, TOLLES & OLSON LLP
7 560 Mission Street, 27th Floor
San Francisco, CA 94105-2907
8 Telephone: (415) 512-4000
Facsimile: (415) 512-4077
9 E-Mail: *Rohit.Singla@mto.com*; *Victoria.Boesch@mto.com*;
Sarala.Nagala@mto.com

10 Attorneys for APPLIED MATERIALS, INC.

11
12 **UNITED STATES BANKRUPTCY COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **OAKLAND DIVISION**

15
16 In re
17 MARK KESEL,
18 Debtor.

Case No. 10-41653-RJN

CHAPTER 11

Hon. Randall J. Newsome

19 **STIPULATION TO EXTEND DEADLINE**
20 **TO DETERMINE DISCHARGEABILITY**

[No hearing required]

21
22 WHEREAS on February 16, 2010, the above-captioned debtors commenced this
23 case.

24 WHEREAS the deadline to file a complaint to determine dischargeability of
25 certain debts is May 14, 2010.

26 WHEREAS the Court granted the Debtors' motion for relief from the automatic
27 stay to proceed with and participate in the appeal that is now pending in the Federal Circuit Court
28 in the matter of Applied Materials, Inc. v. MultiMetrixs, LLC, Mark Kesel, Boris Kesil, and Elik

1 Gershenson (Docket No. 39) (the "Appeal").

2 WHEREAS the determination of the dischargeability of the debt owed to Applied
3 Materials that is the subject of the Appeal (the "Debt") may be rendered moot if the Debtors
4 prevail in the Appeal.

5 The undersigned parties, by and through their counsel have conferred, and subject
6 to this Court's approval, have agreed and stipulated that the:

7 1. The deadline for Applied Materials, Inc. to file a complaint to determine
8 the dischargeability of the Debt is extended to the first business day that is 45 days after the
9 mandate is issued in the Appeal by the Federal Circuit Court.

10 2. The deadline may be further extended by stipulation of the parties or Court
11 order.

12 3. All other rights of the parties are reserved.

13
14 Dated: April 16, 2010

Respectfully submitted,

15 MUNGER, TOLLES & OLSON LLP
16 355 South Grand Avenue, Suite 3500
Los Angeles, CA 90071-1560
17 Telephone: (213) 683-9100
Facsimile: (213) 687-3702
18 E-Mail: *Seth.Goldman@mto.com*

19 By: /s/ Seth Goldman
SETH GOLDMAN

20 Attorneys for Applied Materials, Inc.

21 DIEMER, WHITMAN & CARDOSI, LLP
22 75 East Santa Clara Street, Suite 290
San Jose, California 95113
23 Telephone: (408) 971-6270
24 Facsimile: (408) 971-6271

25 By: /s/ Judith L. Whitman
JUDITH L. WHITMAN

26 Attorneys for Mark Kesel
27
28